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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

VENT, JAMIE J

ART UNIT

PAPER NUMBER

2616

DATE MAILED: 03/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/671,688	Applicant(s) INOUE ET AL.	
	Examiner Jamie Vent	Art Unit 2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 December 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

Applicant's arguments filed December 6, 2005 have been fully considered but they are not persuasive. On pages 5-8 applicant argues that Nakagawa in view of Elberbaum et al fails to disclose the following limitation "wherein each of said rotary shafts is individually attached to the opposite ends of said sub-chassis along a longitudinal axis of said pair of rotary shafts and said base plate assembly rotates axially about each rotary shaft" as recited in Claim 1. It is noted in Figures 1 and 3 that the rotary shafts are shown individually attached to the body of the camera and as described in Column 2 Lines 42+. Furthermore, Figure 7a and 7b shows the rotary shafts individually attached to the body of the camera and is further described in Column 7 Lines 10-55. Additionally, it is noted that the sub-chassis and rotary shafts are "swingably attached in a longitudinal axis" which allows for tilting and movement of the camera as described in Column 7 Lines 38-46 and Column 1 Lines 45+ and thereby meeting the limitation. Although, all of applicants points are understood the examiner can not agree.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakagawa et al (EP 0 851 422) in view of Elberbaum et al (US 6,628,338).

[claim 1]

In regard to Claim 1 Nakagawa discloses an optical disc camcorder (Figure 1) comprising:

- A base plate assembly (Figure 8 shows base plate);
- A rotary shaft (Figure 1 shows the rotary shaft 52);
- a camcorder main body having an internal sub-chassis (Figure 1 element 2 shows the camcorder main body as further described in Column 3 Lines 5-6 additionally as seen in Figure 8 wherein the base plate is attached to the sub-chassis of the camcorder main body and thereby meeting the limitation);
- wherein said base plate assembly is mounted on said sub-chassis (Figure 8 shows a base plate wherein it is mounted through attachment to a sub-chassis)
- wherein a weight is attached to a first portion of said base plate assembly so that the center of gravity of said base plate assembly is shifted towards the first portion (Figure 8 shows a the weight attached to the base plate for the shifting of the camcorder toward the center of gravity as further described in Column 7 Lines 49+ through Column 8 lines 1-20); however, fails to discloses

- a pair of rotary shafts wherein each of said rotary shafts is attached to the camcorder main body and individually attached to opposite ends of said sub-chassis along a longitudinal axis, and said base plate assembly is swing able attached along a longitudinal axis of said pair of rotary shaft so that said base plates rotates axially about each rotary shaft

Elberbaum et al discloses a camera support system wherein rotary shafts are attached to the body of the camera at opposite ends of the base plate to allow for the camera to have a swinging motion as further seen in Figures 1 and 3 and described in Column 2 Lines 42+. The rotary shafts which attach the camera at opposite ends of the base plate allows for the camera to freely move in a tilting manner and thereby allowing the camera to have a greater range and usefulness. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to use the camcorder system, as disclosed by Nakagawa, and incorporate rotary shafts to allow for movement of the camera, as disclosed by Elberbaum et al.

[claim 2]

In regard to Claim 2, Nakagawa, discloses an optical disc camcorder comprising a locking mechanism to secure the base plate assembly to the optical disc camcorder is shown as an objective lens (Figures 1 and 8 show the locking mechanism that is further described in Column 7 Lines 57-58).

[claim 3]

In regard to Claim 3, Nakagawa, discloses a stopper means for restricting the range of movement of the base plate and absorbing shock is shown in fig.8 as a focusing coil

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and tracking coil by way of the magnetic circuit that is formed which is able to restrict movement (Column 8 Lines 3-20 describe the restricting the range of the base plate as further seen in Figure 8 wherein the focusing coil 54a and tracking coil 55a restrict the movement).

[claim 4]

In regard to Claim 4, Nakagawa discloses a system as previously discussed in independent Claim 1, with the additional limitation of the base plate assembly is provided with an acceleration sensor for detecting of acceleration performed by said base plate assembly and rotation drive mechanism for causing said base plate assembly to be rotated compulsorily in the periphery of each rotary in response to the value detected by said acceleration sensor (Figure 1 shows the tracking coil (55a) whereby the rotation of the base plate assembly is detected and corrected so as to provide an optimal display which is impact and vibration proof as further described in Column 8 Lines 1-20)

[claim 5]

In regard to Claim 5, Nakagawa discloses a system as previously discussed in independent Claim 1, with the additional limitation of the optical disc is further provided with a skew sensor for detecting skew and a skew correcting mechanism for rotating said sub-base in an axial direction about each rotary axial shaft (Figure 8 shows the skew sensor and focusing coil (54a) wherein adjustments are made by the focusing coil as further described in Column 8 Lines 1-20).

[claim 6]

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In regard to Claim 6, Nakagawa discloses a system comprising a rotary shaft for correcting skew at the end point of said turn table (Figure 8 shows the guide shaft (39_ which is used to correct skew as further described in Column 7 Lines 1-18).

[claim 7]

In regard to Claim 7, Nakagawa discloses an optical disc camcorder where the skew correcting mechanism controls a position of said optical pickup system so as not to come into contact with an optical disc (Column 7 Lines 1-18 describes the position that is shown of the optical pick up system which controlled so as to not come into contact with an optical disc, which is considered a non- contact state).

[claim 8]

In regard to Claim 8, Elderbaum et al discloses an optical disc camcorder wherein the base plate assembly rotates about pair of axial shafts so that the base plate assembly is inclined a first direction when the camcorder main body is inclined in a second direction wherein the first direction is a direction inverse to the second direction (Figure 1 shows the base plate assembly 4 which rotates about pair of axial shafts 2 and 3. and thereby allows various directions of the camera to be turned and tilted as further described in Column 2 Lines 39+)

[claim 9]

In regard to Claim 9, Nakagawa discloses an optical camcorder wherein the first portion of the base plate assembly is located below said pair of rotary shafts so that the base plate assembly freely rotates about the pair of rotary shafts to preserve a constant posture based on the position of the center of gravity of the base plate assembly relative

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to said pair of rotary shafts (Column 1 Lines 47+ describes the free movements of the rotary shafts that allows constant movement of the camera and thereby meets the limitation.)

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jamie Vent whose telephone number is 571-272-7384. The examiner can normally be reached on 7:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on 571-272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Jamie Vent

MEHRDAD DASTOURI
SUPERVISORY PATENT EXAMINER

TC 2600

